

UNITED STATES DISTRICT COURT

for the
District of South Carolina

Sanchez Ozell McPherson,

Plaintiff

v.

Civil Action No. 0:15-cv-01859-RMG

SPO M. Kutz, Officer, Charleston Police

Department; Detective Osburne, Charleston Police

Department; ATF Government - Alcohol, Tobacco,

Firearms; Sean Kittrell, Government's Prosecutor; John

A. Schroepfer, ATF Agency,

*Defendants***JUDGMENT IN A CIVIL ACTION**The court has ordered that (*check one*):

☐ the plaintiff (*name*) _____ recover from the defendant (*name*) _____ the amount of _____ dollars (\$___), which includes prejudgment interest at the rate of ____ %, plus postjudgment interest at the rate of ____ %, along with costs.

☐ the plaintiff recover nothing, the action be dismissed on the merits, and the defendant (*name*) _____ recover costs from the plaintiff (*name*) _____.

☒ the plaintiff, Sanchez Ozell McPherson, shall take nothing of the defendants: ATF Government -Alcohol, Tobacco, Firearms; Sean Kittrell, Government's Prosecutor; and John A. Schroepfer, ATF Agency. This action is dismissed without prejudice as to those defendants.

☒ the plaintiff, Sanchez Ozell McPherson, shall take nothing of the defendants: SPO M. Kutz, Officer, Charleston Police Department; and Detective Osburne, Charleston Police Department. This action is dismissed with prejudice as to those defendants.

This action was (*check one*):

☐ tried by a jury, the Honorable _____ presiding, and the jury has rendered a verdict.

☐ tried by the Honorable _____ presiding, without a jury and the above decision was reached.

☒ decided by the Honorable Richard M. Gergel, United States District Judge, presiding, adopting the Report and Recommendation set forth by the Honorable Paige J. Gossett, United States Magistrate Judge, to the extent that it recommended the dismissal of this action without prejudice as to defendants: ATF Government -Alcohol, Tobacco, Firearms; Sean Kittrell, Government's Prosecutor; and John A. Schroepfer, ATF Agency.

☒ decided by the Honorable Richard M. Gergel, United States District Judge, presiding, adopting the Report and Recommendation set forth by the Honorable Paige J. Gossett, United States Magistrate Judge, which recommended the dismissal of this action with prejudice as to defendants SPO M. Kutz and Detective Osburne for failure to prosecute pursuant to Rule 41(b).

Date: March 10, 2016

ROBIN L. BLUME, CLERK OF COURT

s/B. Goodman

Signature of Clerk or Deputy Clerk